



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing was convened in relation to the tenant's application pursuant to the *Residential Tenancy Act* (the Act) for:

- authorization to obtain a return of the remainder of his security deposit pursuant to section 38; and
- a monetary order for compensation pursuant to subsection 38(6) of the Act.

Both landlords and the tenant appeared. Neither party raised issues with service of documents.

In the course of the hearing the parties were able to reach a resolution to all outstanding issues in respect of this tenancy.

Background

This tenancy began 1 August 2013 and ended 1 February 2015. Monthly rent at the commencement of the tenancy was \$400.00. The landlords collected a security deposit in the amount of \$200.00. No condition move in/out inspection reports were created in respect of this tenancy.

On 1 February 2015, the landlord returned \$120.00 of the tenant's security deposit to the tenant.

The landlords allege that the tenant caused damage to the rental unit and failed to pay rent for January 2015. The landlords have not filed an application in respect of these claims.

Analysis

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenant agreed to withdraw his application.
2. The landlords agreed to pay to the tenant \$160.00.
3. Both parties agreed that no further applications would be brought to the Residential Tenancy Branch in respect of this tenancy.

The parties stated that they understood the terms of this agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties. The parties agreed to this agreement.

Conclusion

The tenant's application is withdrawn.

The monetary order is to be used if the landlords do not pay \$160.00 to the tenant in accordance with their agreement. The tenant is provided with this order in the above terms and the tenant should serve the landlords with this order so that it may enforce it in the event that the landlords do not pay the outstanding rent as set out in their agreement. Should the landlord(s) fail to comply with this order, this order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: August 26, 2015

Residential Tenancy Branch

